

P.R. No. 315/06
Presented by Shri. Arup Majumdar
dated 18/11/06

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IN THE HIGH COURT OF JUDICATURE AT BILASPUR
CHHATTISGARH

WRIT PETITION NO. 304 /2006

PETITIONER : Jitendra Kumar Sang, S/o Late Shri
Sadhuram Sang, Aged about 25 years, R/o.
Village Lalutola, Post - Chichola, Tahsil
and District - Rajnandgaon (C.G.)

VERSUS

- RESPONDENTS :
1. State of Chhattisgarh
Through- The Secretary,
Education Department (School),
D.K.S. Bhawan, Raipur (C.G.)
 2. Union of India,
Through - The Secretary,
Personal, Public Grievance and Pension
Ministry, Lok Nayak Bhawan, Khan
Market, New Delhi
 3. The State of Madhya Pradesh
Through Secretary - Education
Department Valabh Bhawan, Bhopal
(C.G.)
 4. District Education Officer,
Rajnandgaon, Collectorate, Rajnandgaon
(C.G.)

R/C
for J. Sang
18-1-06
THAKUR VIJAY SINGH
A. G. BILASPUR
CHHATTISGARH HIGH COURT
High Court Campus, Bilaspur (C.G.)



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WRIT PETITION UNDER ARTICLES 226 AND 227 OF THE
CONSTITUTION OF INDIA

(1) PARTICULARS OF THE PETITIONER:

Particulars of the petitioner are same as above in the cause title.

(2) PARTICULARS OF THE RESPONDENTS:

Particulars of the respondents are same as above in the cause title.

आदेश पत्रक

मामला क्रमांक

W.P. 304/06

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विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
HI	20-1-2006 Petitioner by Shri Kunal, Advocate. Shri Vivek Sharma, Panel for the State of Chhattisgarh. Shri V.S. Tiwari, Advocate appears on behalf of Shri B. Kinger, counsel for the Union of India. Heard. This case relates to compassionate appointment consequent upon the death of an employee serving in the State. Learned counsel for the petitioner categorically stated that the death of the employee occurred on 26-8-1999 i.e. after 1-11-1997 and not earlier. It is further submitted that in batch of cases bearing W.P. No.1322/2002 involving the same question, orders have been passed by this Court on 20/12/2005. He prays that similar orders may be passed in this case also. Learned counsel for the State does not dispute the above fact and states that the State of Chhattisgarh has taken a decision to consider the cases of dependants of those employees who died on or after 1/11/1997 strictly in accordance with the policy prevalent at that time. He however submits that four months time for issuing necessary orders may be given. In view of the submissions made by learned counsel appearing for the parties, without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the State of Chhattisgarh and the authorities concerned to consider and decide the case of the petitioner in accordance with the policy prevalent at the time of death of the employee concerned. If the petitioner found eligible, appointment orders will be issued as early as possible preferably on or before 31st May, 2006. The petitioner is also directed to render due co-operation to the authorities. It is made clear that if any grievance still remains, the petitioner may avail the remedy available under the law including filing of the petition before this Court. With the aforesaid observations, this petition stands disposed of. Certified copy as per rules. Copy to the State counsel, who will be obliged to communicate the order to the respondents for compliance.	Sd/- Fakhruddin Judge

[पीछे देखिये]

Res/
26/1/06
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